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ABSTRACT

It is the opinion of the authors of this position paper that collective bargaining in the public sector causes an increase in strikes and employee unrest, resulting in a diminution of public services. The authors assert that public employee collective bargaining means giving unions the power to control government through intimidation of the taxpaying public. This paper includes statistical data on the frequency and number of public employee strikes in each state--data intended to bolster the authors' contention that collective bargaining in the public sector is destructive. They conclude that a method other than compulsory public employee collective bargaining would be in the public's best interest. (Author/DS)

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PUBLIC SECTOR BARGAINING and STRIKES

Prepared by: The Public Service Research Council

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This report contains the first state-by-state analysis of laws and strikes, considers the relationship between the passage of compulsory public sector bargaining legislation and public strike activity, and presents some examples of the impact of strikes upon a community.

Statistics in this study are from reports by the United States Bureau of Labor Statistics. The appendix to the study provides additional detailed statistics that are not included in the narrative.

PUBLIC SECTOR BARGAINING AND STRIKES

Second Edition

Prepared By:

Public Service Research Council
8320 Old Courthouse Road, Suite 430
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August 1, 1976

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PUBLIC SECTOR BARGAINING AND STRIKES

The first compulsory public sector collective bargaining law in the United States was enacted in Wisconsin in 1959. At the end of 1958, membership in public sector unions throughout the United States was 1,035,000, and there were only 15 strikes against government.

By 1974, 34 states had enacted one sort or another of compulsory collective bargaining legislation; public sector union and association membership had increased to a total of 5,333,000; and there were 382 strikes against government.

Fortunately, for the purposes of this study, the Bureau of Labor Statistics (BLS) of the U.S. Department of Labor began to keep separate statistics on public sector strikes in 1958. These statistics are complete through 1974.

The proponents of compulsory public sector bargaining laws have consistently held that such laws would serve to reduce public sector strike activity. They believed that forcing government to recognize and bargain with unions would remove the cause of strikes and provide formal channels for the resolution of differences.

All but seven of the existing laws prohibit strikes, but such prohibitions have proven to be universally ineffective.

It is interesting to note that the National Labor Relations Act was enacted to "restore peace" and that it too has been totally ineffective. Strike activity after passage of the NLRA remains consistently

and dramatically higher than pre-NLRA days. This is not to say that the nature of the strike did not change. Prior to the NLRA, more strikes were violent; while after the NLRA, there was much more union unrest, but it was not always so violent.

The prime defect in the NLRA and in the public sector bargaining laws here is that they are compulsory. The unions go to great lengths to stress their support of "free" collective bargaining. However, under a compulsory bargaining law, the employer is forced to bargain, which gives the union an enormous advantage. It also creates an adversary relationship in which the union need only make demands rather than attempt to work out a mutually beneficial agreement with the employer.

Some defenders of public sector bargaining have contended that only by making it compulsory can you remove union recognition as a source of strife. In a Brookings Institution study entitled PUBLIC EMPLOYEE UNIONISM, by Jack Stieber, he is often misquoted as believing that passage of bargaining laws reduces the number of strikes. In fact, Stieber fails to recognize the relationship between such laws and strikes. His full quote indicates this:

> "Clearly, there is little relationship between the incidence of government strikes and state laws regulating labor relations in public employment. Michigan, one of the three states with the largest number of strikes, has had a comprehensive law since 1965, while Ohio and Illinois, the other two, have no state statute providing collective bargaining for public employees. Other state patterns are similarly inconclusive. The one effect of laws that can be documented is that they reduce greatly the number of strikes over the issue of union recognition. But other issues, particularly wages, have apparently increased the

number of strikes sufficiently to more than compensate for the elimination of union recognition as an important issue in states with public employment laws." (Emphasis added.)

The myth that public sector compulsory collective bargaining is necessary to reduce labor strife and safeguard the public interest even pervades the Halls of Congress. HR 8677, introduced in the 93rd Session of Congress in 1973 by Representative William Clay of Missouri, would require states and local governments to recognize public sector unions and to bargain collectively.

Section 2 of that proposed legislation said, "Experience in both private and public employment indicates that the statutory protection of the right of employees to organize and bargain collectively safeguards the public interest . . . by removing certain recognized sources of strife and unrest."

Section 1 of HR 1488, introduced in 1976 in the 94th Congress by Representative Edward Roybal of California, which was similar in purpose to the Clay bill, states that: "The refusal by some public employers to accept the procedure of collective bargaining . . . leads to strikes and other forms of strife and unrest, . . . and interferes with the normal and necessary operations of government."

The irrefutable facts in the public sector are exactly the opposite of these premises.

Other authorities have observed that collective bargaining and strikes are inseparable. "For if collective bargaining unsupported by

a right to strike is a mere sham, any government whose employees may strike is no less a sham." Sylvester Petro, in "Sovereignty and Compulsory Public Sector Bargaining", Wake Forest Law Review, March, 1974.

"Collective bargaining and strikes are like Siamese twins." -- Theodore Kheel, internationally famous labor mediator of New York City.

> "'The history of labor relations in Baltimore is one of hypocrisy,' said Hillman, who criticized those who believe that if we only had a public employee law, we could end strikes. 'That's a falsehood, because collective bargaining means strikes. It's the way a union gets power equal to the employer's, '. . ." Robert Hillman, former labor commissioner for the City of Baltimore, in the Government Employee Relations Report of December 30, 1974.

On the "if I say it's true, it's true" level of thought, Harry Boyer, President of the Pennsylvania AFL-CIO, gives cause to wonder whether union officials willfully try to mislead the public or don't check the facts. At a 1973 hearing to review the impact of Act 195, Pennsylvania's compulsory public sector bargaining law, Boyer says, according to Harold F. Alderfer, in the Labor Law Journal, March, 1974, that there were "many" strikes before the enactment of the law, but that "now, with the limited restricted right-to-strike included in the law, such strikes are minimal."

The facts are that in the twelve years prior to passage of Act 195 for which statistics are available, there were 72 strikes, or 6.00 per year, involving 43,086 workers and 97,017 man-days lost. In the four years after passage of the law, there were 292 strikes, or 73.00 per year, involving 117,718 workers and 1,517,178 man-days lost.

Pennsylvania is one of the most dramatic examples of the cause and effect relationship between public sector bargaining laws and increased strike activity.

While it is dramatic, it is not uncharacteristic. In every state except one, passage of a compulsory public sector bargaining law has resulted in increased strike activity. The one exception is Indiana, where a law covering education was passed in 1973, and there were no school strikes in 1974. There are some states which have compulsory public sector bargaining and no strikes, but they also did not have strikes prior to passage of the law. In no state did passage of a compulsory public sector bargaining law result in an overall decrease in public sector strike activity. (See Table A.)

TABLE A

PUBLIC SECTOR STRIKES BEFORE AND AFTER
ENACTMENT OF BARGAINING LEGISLATION
1958 - 1974

COMPILED BY
PUBLIC SERVICE RESEARCH COUNCIL

STATE	STRIKES/YR. BEFORE LEGISLATION	YEAR OF LEGISLATION	STRIKES/YR. AFTER LEGISLATION
Alabama	2.53	----	----
Alaska			
teachers	0	1970	1.25
all others	.50	1972	3.00
Arizona	.53	----	----
Arkansas	.47	----	----
California			
state employees	1.08	1971	1.67
teachers	.14	1965	7.33
all others	.33	1961	8.00
Colorado	1.18	----	----
Connecticut			
state employees	0	----	----
all others	.86	1965	7.00
Delaware			
teachers	0	1969	2.00
all others	.29	1965	.89
Florida	3.19	1974	----
Georgia	2.53	----	----
Hawaii	.08	1970	1.50
Idaho			
firefighters	0	1970	0
teachers	.08	1971	0
all others	.24	----	----
Illinois			
state employees	1.20	1973	3.00
all others	14.82	----	----
Indiana			
teachers	1.93	1973	0
all others	2.53	----	----

TABLE A

STATE	STRIKES/YR. BEFORE LEGISLATION	YEAR OF LEGISLATION	STRIKES/YR. AFTER LEGISLATION
Iowa	1.38	1974	----
Kansas			
teachers	0	1970	.25
all others	.62	1971	3.33
Kentucky	2.47	----	----
Louisiana	1.29	----	----
Maine			
state employees	.13	1974	----
all others	0	1969	.40
Maryland			
teachers	.27	1969	1.00
all others	1.18	----	----
Massachusetts	.57	1965	5.22
Michigan			
state employees	.71	----	----
all others	.14	1965	44.56
Minnesota	.38	1971	1.33
Mississippi	.35	----	----
Missouri			
teachers & police	1.47	----	----
all others	2.00	1967	4.43
Montana			
nurses	0	1969	.60
teachers	.15	1971	.67
all others	.40	1973	1.00
Nebraska			
teachers	0	1967	0
all others	0	1969	.20
Nevada			
state employees	0	----	----
all others	0	1969	.20

TABLE A

STATE	STRIKES/YR. BEFORE LEGISLATION	YEAR OF LEGISLATION	STRIKES/YR. AFTER LEGISLATION
New Hampshire			
state employees	0	1969	0
police	0	1972	0
all others	.75	1970	1.75
New Jersey	3.10	1968	18.67
New Mexico	.59	----	----
New York	4.22	1967	21.43
North Carolina	2.53	----	----
North Dakota			
teachers	0	1969	0
all others	.12	----	----
Ohio	20.76	----	----
Oklahoma			
state employees	0	----	----
all others	.46	1971	1.33
Oregon			
teachers	0	1965	.22
all others	.20	1973	1.00
Pennsylvania			
police and firemen	.10	1968	2.33
all others	6.00	1970	73.00
Rhode Island			
teachers	.25	1966	2.63
local employees	.11	1967	.43
state employees, police & firemen	.25	1970	1.25
South Carolina	.35	----	----
South Dakota	.09	1969	.20
Tennessee	1.88	----	----
Texas	2.12	----	----
Utah	.47	----	----

TABLE A

STATE	STRIKES/YR. BEFORE LEGISLATION	YEAR OF LEGISLATION	STRIKES/YR. AFTER LEGISLATION
Vermont			
state employees	0	1969	0
teachers	0	1969	0
all others	0	1973	0
Virginia	.82	----	----
Washington			
teachers	0	1965	1.56
state employees	.15	1971	1.67
all others	.22	1967	1.43
West Virginia	2.82	----	----
Wisconsin			
state employees	0	1966	.88
all others	0	1959	6.60
Wyoming			
firefighters	0	1965	0
all others	.06	----	----
NATIONAL AVERAGE STRIKES/YR.	1.18		4.61

Some states such as Illinois and Ohio do not have compulsory public sector bargaining and have a high number of strikes. There is no evidence to indicate that enactment of a compulsory public sector bargaining law in these states would result in anything other than an increase in strikes. The strikes which take place in these states are mainly economic strikes, not recognition strikes.

The evidence clearly establishes that in every state but one the average number of strikes per year with compulsory public sector bargaining legislation is greater than those without such legislation.

However, it would be reasonable to question whether this reflects a function of time rather than legislative status.

The following table indicates that between 1958 and 1974, the average number of strikes per state per year in the non-compulsory bargaining public sectors of employment is less than in the compulsory bargaining sectors, despite the fact that the compulsory bargaining sector went from zero to 34.

This is further proof of the fact that compulsory public sector bargaining laws are directly tied to increased public sector strike activity. (See Table B.)

TABLE B

AVERAGE NUMBER OF STRIKES PER STATE

	EMPLOYEES NOT COVERED BY LEGISLATION	EMPLOYEES COVERED BY LEGISLATION
1958	.30	----
1959	.52	----
1960	.66	2.00
1961	.52	0.00
1962	.42	1.00
1963	.54	1.00
1964	.74	2.00
1965	.76	2.00
1966	1.96	5.22
1967	2.28	5.30
1968	2.83	8.23
1969	5.42	11.47
1970	4.64	9.23
1971	3.17	7.70
1972	4.26	8.00
1973	3.81	8.90
1974	4.21	8.35

PUBLIC, PRIVATE SECTOR BARGAINING DIFFER

Most of the public sector bargaining laws are based on the private sector model. This unnatural transplant ignores the basic differences between the two systems.

As the U.S. District Court noted in a recent decision upholding the constitutionality of North Carolina's law which prohibits public sector collective bargaining:

> "(T)o the extent that the public employees gain power through recognition and collective bargaining, other interest groups with a right to a voice in the running of the government may be left out of vital political decisions. Thus, the granting of collective bargaining rights to public employees involves important matters fundamental to our democratic form of government. The setting of goals and making policy decisions are rights inuring to each citizen. All citizens have the right to associate in groups to advocate their special interests to the government. It is something entirely different to grant any one interest group special status and access to the decision-making process."

The problems of private sector employment and collective bargaining simply are not at all relevant to the public sector. By utilization of the enormous power of a strike in the public sector, union bosses can and do determine public policies, the quality of services and their costs, for which the public is compulsorily taxed. In fact, collective bargaining contracts, because of inflexibility, have a substantial impact upon the financial stability of cities, with New York City as a prime example.

The public sector is not the same as the private, because its revenues share a single source of compulsory taxes, not selected purchases. Ultimate policy in the public sector is essentially political,

representing a composite of viewpoints from diverse political forces. Economic costs in the public sector, mostly without referendum, are shared by all segments of society through compulsion. Contrary to the private sector where the individual has a choice by selection, bringing forces to bear on the cost and quality of what he purchases, his public burden is made essentially by political forces, which as an individual he cannot combat.

Union demands have two extraordinary strengths not available to the balance of the public which give them unequal power:

1. A large homogeneous vote used to influence elections, which is a magnet for politicians.

2. The ability to withhold through strikes vital services for which the public pays through taxes with no recourse. During periods of strikes, public officials often capitulate to union bargaining demands, intimidated by the powerful union membership vote and at the behest of angry citizens being denied their services.

Thus, the public's position is unequal to that of the unions with their collective bargaining power.

PUBLIC SECTOR UNIONS GROW RAPIDLY

The total work force of the United States was 93 million at the end of 1974, with 15 million or 16 percent in the public sector. Private union membership was 17 million or 18.5 percent of the total work

force. Public unions and associations had 5,333,000 members, or slightly less than 6 percent of the total.

Since 1958, private sector union membership has declined as a percentage of the work force, as the public sector has grown. In 1956, private sector unions comprised 24 percent of the work force, compared to 18.5 percent in 1974. Public sector union membership in 1956 represented 1.3 percent of the work force, compared to nearly 6 percent for public sector unions and associations in 1974.

The largest and fastest-growing union in the public sector is the American Federation of State, County and Municipal Employees, an affiliate of the AFL-CIO, with 700,000 members. The National Education Association is the largest and best example of an association that has taken on the characteristics of a union, and it has 1,800,000 members. The NEA has some competition from the American Federation of Teachers, an AFL-CIO affiliate.

Other unions and associations having members in the public sector include Service Employees International Union and the Laborers' International Union of North America, affiliates of the AFL-CIO; the International Brotherhood of Teamsters, the American Federation of Government Employees, the National Maritime Union, and the Association of Civilian Technicians.

While the public sector union membership increased approximately fourfold in 13 years, the strike activity since 1958 increased 25 fold.

PUBLIC SECTOR STRIKE ACTIVITY

Strike activity in the public sector has changed as the unions have become more militant. Other than increasing violence and harassment, there has been an increase in the number of employees involved and the man days lost through strike activity. In 1958 only 7500 man days were lost through 15 strikes; but in 1974, through 382 strikes, 1,404,200 man days were lost with 160,349 union members. Through the first nine months of 1975, 21 percent of American workers striking were government employees. The trend has been constantly up.

Public sector strikes also have increased as a part of the total work stoppages in the nation. The number of work stoppages in the public sector as a part of the total increased from 6 to 8 percent from 1974 to 1975, first nine months. More importantly, the number of workers involved jumped from 6 to 21 percent, and the days of idleness increased from 3 to 8 percent.

The average number of days of idleness per worker from strike activity has continued to increase in the public sector since 1972, while in the private sector it has declined.

The largest percentage of strikes still relate to economic matters, even though most independent experts consider that public sector wages and benefits are equal to or greater than private sector benefits. For example, San Francisco, which had considerable public sector labor strife and violence through illegal strikes in 1974 and 1975, pays street sweepers

$17,000 per year and gardeners $22,000. Pensions are in proportion. Plumbers and other craft union workers get triple time for overtime beyond a 35-hour week.

The litany of public sector strikes is very little different from city to city; that is, promote a sense of crisis and impending doom, including a disruption of essential services, unless the union position prevails. A key ingredient is the ability of the strikers to intimidate the public and apply flagrant political pressure upon elected representatives of the public. Threats against the public safety and well-being are commonplace in public sector strikes.

The professional strike organizer and director, plus the skilled negotiator, employees of an international or national union on loan to local unions, play vital roles in the instigation and maintenance of the strike until the union bosses' objectives are secured. Strategies relating to the provocation of arrest and threats by labor against elected officials, as in the 1975 Baltimore City strike, all are developed by out-of-state professionals. An illegal strike rarely occurs without assistance and support of national bosses.

The method of operation is to play upon the concerns of the people and the disruption of services for which citizens are taxed to bring capitulation to union demands.

The results of collective bargaining and strikes in the public sector have been the following:

1. Loss of control of the political processes to union officials.

2. Disrupted services, some for extended periods of time. In educational strikes, the youth of the nation have been damaged; and union control of education has led to an increasing inability of the young to cope with an increasingly complex society. The impact of teachers openly defying the law in illegal strikes is hard to judge, but it certainly has been one of the influences toward student disregard for an orderly society.

3. Security suspended by police strikes resulting in near anarchy through riots, intimidation and harassment.

4. Fire protection withheld resulting in increased fires and fire hazards.

5. Health endangered through strikes of hospital and sanitation workers.

Less important services also are disrupted and the public generally inconvenienced through strikes.

The quality of services naturally has declined as the taxes of every citizen have increased.

Examples of some of the more flagrant disregard of America's taxpayers are numerous, but the following provides an interesting profile of what union control of government promises.

UNION CONTROL CITED AS RESPONSIBLE FOR NEW YORK PLIGHT

The financial capital of the world, one of history's great cultural centers, the hope of millions of oppressed people throughout its existence -- New York City -- was brought to its knees in 1975 because of the overpowering strength of its municipal unions.

America's premier city became a blight because it could not pay its bills nor provide the services for which its 8 million people are heavily taxed because of the control of its affairs by union bosses.

The liberal New York Times noted in a July 8, 1975 editorial,

> "The city is staggering out of its budget crunch with one thing clear. New York is working for its unionized civil service workers, not vice versa. The real power in the city is held by the municipal unions. Last week's illegal sanitation strike, a wretched charade in which every step was apparently orchestrated by the union leadership, with the Beame administration a benign co-conspirator, was the end product of three decades in which one New York mayor after another systematically fostered the growth of centralized union power. The rationale always was that strong, secure unions would bring cooperation for a more efficient civil service. Instead, it delivered into union hands ironclad control over every essential civic department, with a precipitous increase in personnel and payroll and a steady shrinkage in standards of performance."

Another highly regarded publication and also liberal in its stance, New York Magazine, in discussing the plight of the city, blamed collective bargaining for municipal unions as among the critical decisions that broke the city.

Mayor Robert F. Wagner on March 31, 1958, issued Executive Order No. 49, which granted exclusive representation and collective bargaining privileges to the municipal unions.

The mayor's advisors at that time were divided on the subject, but one who urged the signing because it would impose orderly machinery for the resolution of disputes, bring stability to city agencies and promote efficiency, now says that it was a mistake; because a municipal union cannot be dealt with like a trade union, because "the city is not an employer in the traditional sense. Profits do not exist. Workers are not extracting a part of the profits but a share of the taxes." Therefore, he says, according to the magazine, "municipal unions are really a pressure group, a special-interest group."

As Victor Gotbaum, head of District Council 37 of the State, County and Municipal Employees' union, has remarked, "We have the ability, in a sense, to elect our own boss."

Other union officials in New York have made similar statements, and their power to control the city has grown continuously through the decades since, until they determine workload and manning.

Newsweek noted that, even after adjusting for disparities in county, state and federal aid, it still costs New York City $1,446 per capita to deliver the same services that cost Chicago $650 and Philadelphia $731.

New York is a perfect example of union control of government.

ILLEGALLY STRIKING FIREMEN ACCUSED OF ARSON IN KANSAS CITY

Missouri is among the states with laws prohibiting strikes by public employees, yet firemen in Kansas City illegally struck in the fall of 1975, attempting to achieve what they asserted was a parity in pay with policemen, an issue which had been disputed between city officials and the firemen.

The strike ended after four days of bitterness, more fires than normal, and an accusation by Mayor Charles B. Wheeler, Jr., and other city officials that members of the firemen's union had set some of the 200 blazes which erupted during the strike. This, of course, was denied.

The number of fires reported was considered to be high, as volunteers, the National Guard and city employees struggled to keep the situation from getting out of control. Some of the volunteers who answered calls found fire extinguishers loaded with a liquid, thought to be diesel fuel. In some firehouses, trucks had been tampered with, and the oxygen in an oxygen tank had been replaced with carbon monoxide, according to newspaper accounts.

Volunteers fighting fires would not give their names to newspaper reporters in fear of retribution from the firemen.

SAN FRANCISCO POLICE DEFY COURT ORDER: FIREMEN JOIN

A state of emergency was declared in San Francisco August 20, 1975, after a night of robberies and scattered violence that included a bomb explosion outside the Mayor's home as policemen defied a court order to return to work.

The city's firefighters then joined the police on strike and withdrew protection for the city's international airport, the fifth largest in the country.

Transit workers threatened to join the strike.

This strike was over wages in a pleasant city where the starting wage for a police cadet or firefighter was $16,044. The strikers wanted a pay increase twice what the Board of Supervisors said it could pay.

Acting out of concern for the city and from political pressure, Mayor Joseph Alioto invoked the emergency powers to override San Francisco's Board of Supervisors and raised starting salaries to $18,816. The settlement also included administrative amnesty for any law violations the strikers committed, including ignoring a court order for the police to return to work. It is estimated that under the new contract the average city expenditure per officer including fringe benefits will now be $29,450.

Saddled with a package that requires new taxes, the supervisors described the Mayor as a dictator.

RIOTS, FIRES SWEEP BALTIMORE; UNION WARNED, THREATENED GOVERNOR

Baltimore is a hot, humid city in the summer, but in July, 1974, its citizens had to cope with a far greater menace -- an illegal, general strike.

The strike followed an illegal, bitter, four-week stoppage earlier in the year by the city's public school teachers.

Stinking refuse filled the streets, store lootings and fires spread through the city similar to the racial riots of 1968.

Unions harassed private collectors and volunteers trying to remove the stench from the city. Picket lines were placed around the city's land fills; car windows were smashed as private citizens tried to remove their own trash to the city dump. State police ringed the city.

Jerry Wurf, international president of the American Federation of State, County and Municipal Employees (AFL-CIO), whose local called the strike, was quoted by Governor Marvin Mandel as warning that "Baltimore City would burn to the ground unless the city gave in to his demands". As an aftermath of the strike and because of a threat of political reprisal by labor, Governor Mandel said, "I do not frighten easily. I am amazed that an irresponsible union leader like Mr. Wurf would come into the state and threaten me with political reprisal for a problem that was his own doing. Mr. Wurf and his union engaged in an illegal strike."

The illegal strike, for which the union was fined $155,000, all started as a wildcat stoppage because some of the sanitation workers were displeased with a new contract ratified by a slight majority of their union. Other unions also were unhappy with the settlement; thus,

it spread to include policemen, recreation department employees, jail guards, water and highway department employees.

The illegal strike tied the city in knots for 16 days with violence and intimidation.

TEACHERS DEFY COURT IN LENGTHY STRIKE

The Pittsburgh Federation of Teachers, December 1, 1975, struck the public schools for the third time in eight years. The strike disrupted the education of 62,000 students for several weeks.

The 3,700 teachers and 700 aides wanted a new contract that included more money and other issues, such as class size, discipline, job security and fringe benefits.

The strikers refused to return to the classroom when ordered by Common Pleas Judge Donald E. Ziegler, who subsequently seized union assets, fined the union and its leaders, and threatened to fine each teacher $100 per day for each day off.

The union continued its defiance of the judge's order.

Besides disrupting the education of the students, the strike also caused the layoff of 1,552 non-union employees, closed 33 day-care centers and 28 Head Start centers.

Public sector unions in Pennsylvania were given a limited right to strike, in specified circumstances, by the legislature in 1970. Since then, there have been more than 300 teachers' strikes in the state, with 75 in 1975 alone, more than in the 49 other states combined.

The Pittsburgh Federation of Teachers quoted the law as a basis for the strike, but when Judge Zeigler cited the provision that provides for court injunctions to end public employee strikes when it has been determined they create a "clear and present danger or threat to the health, safety or welfare of the public", the union bosses and the members refused to abide by his decision.

LOS ANGELES SCHOOLS

The Los Angeles public school teachers in 1970 had the highest wage scale of any large city school district in the nation, yet they went on an illegal strike in an effort to force demands that would have tripled the system's annual budget and increased taxes on a $24,000 home by $1181 per year.

The United Teachers of Los Angeles submitted 446 demands, totaling 67 pages, insisting that all of them be negotiated at once. The demands included such non-educational items as full union use of all school facilities for union purposes when not in use for school purposes.

School policy matters played an important part in the demands, including the implementation of automated data processing and school room class size.

ULTIMATE HYPOCRISY

In November of 1975, the voters of San Francisco voted overwhelmingly to role back the excessive union wage scales paid to a few city workers.

In the Spring of 1976, when the Board of Supervisors -- the elected representatives of the people -- attempted to implement the will of the people, the unions went on strike.

The strike lasted more than a month. City services were disrupted, particularly public transporation. Some city facilities such as water mains were wrecked by obvious sabotage.

John Henning, the Secretary-Treasurer of the California AFL-CIO, when asked if the strike indicated that the unions did not believe in majority rule replied, "I don't believe in majority rule when the majority is wrong."

This is the ultimate hypocrisy -- the ultimate insult to the public.

The unions have finally acknowledged the ultimate consequence of their position. Public sector collective bargaining means strikes and this means giving unions the power to control government.

IN CONCLUSION:

This study shows that compulsory collective bargaining in the public sector causes an increase in strikes and employee unrest, resulting in a diminution of public services. On that basis, the conclusion to be drawn is that a method other than compulsory collective bargaining for conducting employee-employer relations in the public sector would be in the public interest.

APPENDIX

ALABAMA

The only public sector labor legislation in Alabama pertains to firefighters. This legislation grants employee organizations the right to present proposals but does not authorize bargaining. Precedents established by case law prohibit collective bargaining without statutory or constitutional authority and limit agreements to non-binding memoranda.

In the absence of enabling legislation, minimum bargaining occurs in Alabama. As of 1974, 28 of 876 government units, or 3.2%, were engaged in bargaining. This is reflected in the relatively low level of strike activity in Alabama.

STATISTICAL DATA

LEGISLATIVE STATUS: NO BARGAINING LEGISLATION.

1958-74: 43 STRIKES; 6,370 WORKERS INVOLVED; 60,755 MAN-DAYS LOST

AVERAGE: 2.53 STRIKES/YR.
374.71 WORKERS/YR.
3,573.82 MAN-DAYS/YR.

ALASKA

Two pieces of legislation mandate collective bargaining for Alaska's public employees. A 1970 law covers teachers, and a 1972 law applies to remaining government employees.

Alaska is one of seven states that have legalized strikes in some form. The 1972 legislation permits strikes by "semi-essential" and "non-essential" employees. The 1970 teacher law is silent on strikes, and there is some question on the application of the 1972 provisions to teachers.

Legislation such as Alaska's serves to encourage bargaining, and in 1974, 26 of 121 government units, 21.5% were bargaining with their employees. The statistics reveal that legislation was accompanied by increased strike activity.

STATISTICAL DATA

EDUCATION

LEGISLATIVE STATUS: 1970 LEGISLATION COVERS TEACHERS.

1958-69: 0 STRIKES; 0 WORKERS INVOLVED; 0 MAN-DAYS LOST

1971-74: 5 STRIKES; 2,304 WORKERS INVOLVED; 11,940 MAN-DAYS LOST

AVERAGE: 1.25 STRIKES/YR.
576.00 WORKERS/YR.
2,985.00 MAN-DAYS/YR.

ALL OTHER PUBLIC EMPLOYEES

LEGISLATIVE STATUS: 1972 LEGISLATION COVERS REMAINING PUBLIC EMPLOYEES.

1958-71: 7 STRIKES; 358 WORKERS INVOLVED; 3,119 MAN-DAYS LOST.

AVERAGE: .50 STRIKES/YR.
25.57 WORKERS/YR.
222.79 MAN-DAYS/YR.

1973-74: 6 STRIKES; 4,751 WORKERS INVOLVED, 16,740 MAN-DAYS LOST

AVERAGE: 3.00 STRIKES/YR.
2,375.50 WORKERS/YR.
8,370.00 MAN-DAYS/YR.

ARIZONA

Arizona has no bargaining legislation. Court decisions have ruled that the state's public employers may, but are not required to bargain collectively.

Despite the lack of legislated authorization, a high degree of bargaining occurs in the state. As of 1974, 92 of 407 government units, 22.6%, were engaged in bargaining. Arizona, however, has experienced a low level of strike activity.

STATISTICAL DATA

LEGISLATIVE STATUS: NO BARGAINING LEGISLATION

1958-74: 9 STRIKES; 2,505 WORKERS INVOLVED; 11,863 MAN-DAYS LOST

AVERAGE: .53 STRIKES/YR.
147.35 WORKERS/YR.
697.82 MAN-DAYS/YR.

ARKANSAS

Arkansas has not enacted bargaining legislation. An Attorney General's opinion and case law state that public employers may, but are not required to bargain collectively with their employees.

Arkansas experiences a low degree of bargaining. As of 1974, 48 of 1284 government units, 3.7%, engaged in negotiations with employees. The data reveals a corresponding low level of strike activity.

STATISTICAL DATA

LEGISLATIVE STATUS: NO BARGAINING LEGISLATION.

1958-74: 8 STRIKES; 1,346 WORKERS INVOLVED; 16,524 MAN-DAYS LOST

AVERAGE: .47 STRIKES/YR.
79.18 WORKERS/YR.
972.00 MAN-DAYS/YR.

CALIFORNIA

Two legislative acts and a Governor's Executive Order established bargaining rights for California public employees. A 1971 Executive Order applies to state employees; 1965 legislation covers teachers; and 1961 legislation covers remaining public employees. All three acts require a meet and confer relationship. Legislation enacted in 1975 establishes a collective bargaining system for teachers, but does not affect this study.

A relatively large number of California governments bargain with their employees. As of 1974, 1,227 of 3,820 units, 32.1%, were negotiating. The statistics show a definite increase in the level of strike activity following legislation. With the exception of state employees, the increase has been dramatic.

STATISTICAL DATA

STATE EMPLOYEES

LEGISLATIVE STATUS: 1971 EXECUTIVE ORDER COVERS STATE EMPLOYEES.

1958-70: 14 STRIKES; 2,821 WORKERS INVOLVED; 28,758 MAN-DAYS LOST.

AVERAGE: 1.08 STRIKES/YR.
217.00 WORKERS/YR.
2,212.15 MAN-DAYS/YR.

1972-74: 5 STRIKES; 5,778 WORKERS INVOLVED; 71,625 MAN-DAYS LOST.

AVERAGE: 1.67 STRIKES/YR.
1,926.00 WORKERS/YR.
23,875.00 MAN-DAYS/YR

EDUCATION

LEGISLATIVE STATUS: 1965 LEGISLATION COVERS TEACHERS.

1958-64: 1 STRIKE; 15 WORKERS INVOLVED; 75 MAN-DAYS LOST.

AVERAGE: .14 STRIKES/YR.
2.14 WORKERS/YR.
10.71 MAN-DAYS/YR.

1966-74: 66 STRIKES; 53,574 WORKERS INVOLVED; 418,230 MAN-DAYS LOST.

AVERAGE: 7.33 STRIKES/YR.
5,952.67 WORKERS/YR.
46,470.00 MAN-DAYS/YR.

ALL OTHER PUBLIC EMPLOYEES

LEGISLATIVE STATUS: 1961 LEGISLATION COVERS REMAINING EMPLOYEES.

1958-60: 1 STRIKE; 3,886 WORKERS INVOLVED; 11,658 MAN-DAYS LOST.

AVERAGE: .33 STRIKES/YR.
1,295.33 WORKERS/YR.
3,886.00 MAN-DAYS/YR

1962-74: 104 STRIKES; 58,000 WORKERS INVOLVED; 540,388 MAN-DAYS LOST.

AVERAGE: 8.00 STRIKES/YR.
4,461.54 WORKERS/YR.
41,568.31 MAN-DAYS/YR.

COLORADO

Colorado has no public sector labor relations legislation. An Attorney General's opinion permits a meet and confer relationship but forbids any negotiating process that results in the loss of discretionary authority on the part of the employer. Case law holds that public employers have no authority to enter into collective bargaining agreements with their employees.

A relatively low degree of public sector bargaining exists in Colorado. As of 1974, 97 of 1,320 government units, 7.3%, were negotiating with employees. The state has also experienced a relatively low level of strike activity.

STATISTICAL DATA

LEGISLATIVE STATUS: NO BARGAINING LEGISLATION.

1958-74: 20 STRIKES; 6,804 WORKERS INVOLVED; 48,008 MAN-DAYS LOST.

AVERAGE: 1.18 STRIKES/YR.
400.24 WORKERS/YR.
2,824.00 MAN-DAYS/YR.

CONNECTICUT

All of Connecticut's public workers with the exception of those employed by the state were covered by 1965 legislation mandating collective bargaining. State employees were covered in 1975, but that legislation does not affect this study.

Connecticut governments bargain to a great degree. As of 1974, 168 of 429 units, 39.2%, were negotiating. The data reveals a significant increase in strike activity following the enactment of bargaining legislation.

STATISTICAL DATA

STATE EMPLOYEES

LEGISLATIVE STATUS: 1975 LEGISLATION COVERS STATE EMPLOYEES.

1958-74: 0 STRIKES; 0 WORKERS INVOLVED; 0 MAN-DAYS LOST

ALL OTHER PUBLIC EMPLOYEES

LEGISLATIVE STATUS: 1965 LEGISLATION COVERS REMAINING EMPLOYEES.

1958-64: 6 STRIKES; 576 WORKERS INVOLVED; 2,517 MAN-DAYS LOST

AVERAGE: .86 STRIKES/YR.

82.29 WORKERS/YR.

359.57 MAN-DAYS/YR.

1966-74: 63 STRIKES; 20,333 WORKERS INVOLVED; 77,437 MAN-DAYS LOST

AVERAGE: 7.00 STRIKES/YR.

2,259.22 WORKERS/YR.

8,604.11 MAN-DAYS/YR.

DELAWARE

Two pieces of legislation mandate collective bargaining for Delaware's public employees. A 1965 act covered all public workers with the exception of teachers who were covered by 1969 legislation.

As of 1974, 31 of 159 government units, 19.5%, were negotiating with their employees. Delaware has not experienced a high level of strike activity. Nevertheless, strikes occurred with greater frequency in the years following legislation than in the preceding years.

STATISTICAL DATA

EDUCATION

LEGISLATIVE STATUS: 1969 LEGISLATION COVERS TEACHERS.
1958-68: 0 STRIKES; 0 WORKERS INVOLVED; 0 MAN-DAYS LOST.
1970-74: 10 STRIKES; 6,048 WORKERS; 11,183 MAN-DAYS LOST.

AVERAGE: 2.00 STRIKES/YR.
1,209.60 WORKERS/YR.
2,236.60 MAN-DAYS/YR.

ALL OTHER PUBLIC EMPLOYEES

LEGISLATIVE STATUS: 1965 LEGISLATION COVERS REMAINING EMPLOYEES

1958-64: 2 STRIKES; 29 WORKERS INVOLVED; 29 MAN-DAYS LOST.

AVERAGE: .29 STRIKES/YR.
4.14 WORKERS/YR.
4.14 MAN-DAYS/YR.

1966-74: 8 STRIKES; 2,836 WORKERS INVOLVED; 9,622 MAN-DAYS LOST.

AVERAGE: .89 STRIKES/YR.
315.11 WORKERS/YR.
1,069.11 MAN-DAYS/YR.

FLORIDA

Florida had no public sector labor relations legislation until 1974 when the legislature enacted a law mandating collective bargaining for all public employees.

As of 1974, 107 of Florida's 866 government units, 12.4%, were negotiating with employees. The new Florida law has not been in effect long enough to allow a comparison of strike activity before and after enactment.

STATISTICAL DATA

LEGISLATIVE STATUS: 1974 LEGISLATION COVERS ALL PUBLIC EMPLOYEES.
1958-73: 51 STRIKES; 36,791 WORKERS INVOLVED; 397,211 MAN-DAYS LOST.
AVERAGE: 3.19 STRIKES/YR.
2,299.44 WORKERS/YR.
24,825.69 MAN-DAYS/YR.

GEORGIA

The only bargaining legislation in Georgia is a 1971 act extending bargaining rights to firefighters in municipalitites of over 20,000 population which opt for coverage. The limited scope of this legislation coupled with the nature of the data available made it impossible to select out those strikes occurring in municipalities covered. Therefore, all Georgia strikes were treated as taking place in the absence of legislation.

As of 1974, 27 of 1244 government units in the state, 2.2%, were negotiating with employee groups. Over the 17 year period for which data was available, strike activity was at a relatively low level.

STATISTICAL DATA

LEGISLATIVE STATUS: NO BARGAINING LEGISLATION (SEE ABOVE).
1958-74: 43 STRIKES; 9,327 WORKERS INVOLVED; 73,751 MAN-DAYS LOST.
AVERAGE: 2.53 STRIKES/YR.
548.65 WORKERS/YR.
4,338.29 MAN-DAYS/YR.

HAWAII

1970 legislation mandated collective bargaining for the state's public employees. Hawaii is also one of the seven states to grant limited strike rights to its public employees.

As of 1974, 5 of Hawaii's 20 government units, 25%, were engaged in bargaining. The statistics reveal a marked increase in strike activity following legislation, and, given the small number of governmental units, Hawaii has experienced a high level of strike activity overall.

STATISTICAL DATA

LEGISLATIVE STATUS: 1970 LEGISLATION COVERS ALL PUBLIC EMPLOYEES.

1958-69: 1 STRIKE; 2,000 WORKERS INVOLVED; 4,000 MAN-DAYS LOST.

AVERAGE: .08 STRIKES/YR.
166.67 WORKERS/YR.
333.33 MAN-DAYS/YR.

1971-74: 6 STRIKES; 13,076 WORKERS INVOLVED; 85,124 MAN-DAYS LOST.

AVERAGE: 1.5 STRIKES/YR.
3,269.00 WORKERS/YR.
21,281.00 MAN-DAYS/YR.

IDAHO

Two pieces of legislation mandate collective bargaining for firefighters, enacted in 1970, and teachers, enacted in 1971. In addition, an Attorney General's opinion states that local governments may bargain with their other employees, including police, if not specifically prohibited by local ordinance.

As of 1974, 93 of Idaho's 902 government units, 10.3%, engaged in bargaining with their employees. The statistics reveal that Idaho has a history of very low strike activity, and bargaining legislation has not significantly altered this.

STATISTICAL DATA

FIREFIGHTERS

LEGISLATIVE STATUS: 1970 LEGISLATION COVERS FIREFIGHTERS.

1958-69: 0 STRIKES; 0 WORKERS INVOLVED; 0 MAN-DAYS LOST.

1971-74: 0 STRIKES; 0 WORKERS INVOLVED; 0 MAN-DAYS LOST.

EDUCATION

LEGISLATIVE STATUS: 1971 LEGISLATION COVERS TEACHERS.

1958-70: 1 STRIKE; 505 WORKERS INVOLVED; 505 MAN-DAYS LOST.

AVERAGE: .08 STRIKES/YR.
38.85 WORKERS/YR.
38.85 MAN-DAYS/YR.

1972-74: 0 STRIKES; 0 WORKERS INVOLVED; 0 MAN-DAYS LOST.

ALL OTHER PUBLIC EMPLOYEES

LEGISLATIVE STATUS: NO BARGAINING LEGISLATION.

1958-74: 4 STRIKES; 129 WORKERS INVOLVED; 677 MAN-DAYS LOST.

AVERAGE: .24 STRIKES/YR.
7.59 WORKERS/YR.
39.82 MAN-DAYS/YR.

ILLINOIS

The only formal public sector labor relations policy in Illinois is a 1973 Governor's Executive Order extending collective bargaining to state employees.

As of 1974, 781 of 6,386 government units in Illinois, 12.2%, were engaging in bargaining. The high number of government units bargaining, 781, and Illinois' traditionally high level of private sector unionization and strike activity are, no doubt, contributing factors to the high level of public sector strike activity.

STATISTICAL DATA

STATE EMPLOYEES

LEGISLATIVE STATUS: 1973 EXECUTIVE ORDER COVERS STATE EMPLOYEES.

1958-72: 18 STRIKES; 9,135 WORKERS INVOLVED; 36,570 MAN-DAYS LOST.

AVERAGE: 1.2 STRIKES/YR.
609.00 WORKERS/YR.
2,438.00 MAN-DAYS/YR.

1974: 3 STRIKES; 800 WORKERS INVOLVED; 3,050 MAN-DAYS LOST.

AVERAGE: 3.00 STRIKES/YR.
800.00 WORKERS/YR.
3,050.00 MAN-DAYS/YR.

ALL OTHER PUBLIC EMPLOYEES

LEGISLATIVE STATUS: NO BARGAINING LEGISLATION.

1958-74: 252 STRIKES; 114,046 WORKERS INVOLVED; 769,516 MAN-DAYS LOST.

AVERAGE: 14.82 STRIKES/YR.
6,708.59 WORKERS/YR.
45,265.65 MAN-DAYS/YR.

INDIANA

The only bargaining legislation presently in force in Indiana is a 1973 statute covering teachers. Legislation was enacted in 1975 extending bargaining to all remaining state and local government employees with the exception of police and firefighters. However, this law was declared unconstitutional, and, at this writing, its future status is uncertain.

As of 1974, 301 of Indiana's 2,793 government units, 10.8%, were engaged in bargaining. There were no teacher strikes recorded in the single year following legislation. It will require data from following years to determine if a trend exists toward higher strike activity after legislation.

STATISTICAL DATA

EDUCATION

LEGISLATIVE STATUS: 1973 LEGISLATION COVERS TEACHERS.

1958-72: 29 STRIKES; 31,557 WORKERS INVOLVED; 175,036 MAN-DAYS LOST.

AVERAGE: 1.93 STRIKES/YR.
2,103.80 WORKERS/YR.
11,669.07 MAN-DAYS/YR.

1974: 0 STRIKES; 0 WORKERS INVOLVED; 0 MAN-DAYS LOST.

ALL OTHER PUBLIC EMPLOYEES

LEGISLATIVE STATUS: NO BARGAINING LEGISLATION.

1958-74: 43 STRIKES; 5,820 WORKERS INVOLVED; 32,548 MAN-DAYS LOST.

AVERAGE: 2.53 STRIKES/YR.
342.35 WORKERS/YR.
1,914.59 MAN-DAYS/YR.

IOWA

Iowa enacted legislation in 1974 mandating collective bargaining for all public employees. It will require data from future years to determine if increased strike activity follows passage of this legislation.

As of 1974, 272 of 1,819 government units, 15%, were engaged in bargaining. The data shows that in the years prior to legislation, Iowa enjoyed a relatively low level of strike activity.

STATISTICAL DATA

LEGISLATIVE STATUS: 1974 LEGISLATION COVERS ALL PUBLIC EMPLOYEES.

1958-73: 22 STRIKES; 2,746 WORKERS INVOLVED; 15,557 MAN-DAYS LOST.

AVERAGE: 1.38 STRIKES/YR.

171.63 WORKERS/YR.

972.31 MAN-DAYS/YR.

KANSAS

Two pieces of legislation extend bargaining to public employees in Kansas. A 1970 statute applies to teachers, and a 1971 statute covers all remaining public employees.

As of 1974, 231 of 3,716 government units, 6.2%, were bargaining with their employees. Kansas has had relatively light strike activity in the public sector, but the data shows a distinct increase following the enactment of legislation.

STATISTICAL DATA

EDUCATION

LEGISLATIVE STATUS: 1970 LEGISLATION COVERS TEACHERS.

1958-69: 0 STRIKES; 0 WORKERS INVOLVED; 0 MAN-DAYS LOST.

1971-74: 1 STRIKE; 81 WORKERS INVOLVED; 1,467 MAN-DAYS LOST.

AVERAGE: .25 STRIKES/YR.
20.25 WORKERS/YR.
366.75 MAN-DAYS/YR.

ALL OTHER PUBLIC EMPLOYEES

LEGISLATIVE STATUS: 1971 LEGISLATION COVERS REMAINING EMPLOYEES.

1958-70: 8 STRIKES; 773 WORKERS INVOLVED; 2,496 MAN-DAYS LOST.

AVERAGE: .62 STRIKES/YR.
59.46 WORKERS/YR.
192.00 MAN-DAYS/YR.

1972-74: 10 STRIKES; 1,483 WORKERS INVOLVED; 13,306 MAN-DAYS LOST.

AVERAGE: 3.33 STRIKES/YR.
494.33 WORKERS/YR.
4,435.33 MAN-DAYS/YR.

KENTUCKY

There are two bargaining statutes in force in Kentucky, both enacted in 1972. One applies to firefighters in cities of over 30,000 population, which is limited to Louisville. The other statute applies to police in counties of over 300,000 population, which is limited to Jefferson County encompassing Louisville. The limited scope of this legislation coupled with the nature of the available data made it impossible to select out those strikes occurring in the areas covered. Therefore, all Kentucky strikes were treated as taking place in the absence of legislation.

As of 1974, 53 of 1,136 government units, 3.7%, were engaged in bargaining. The data reveals that Kentucky has had a relatively low level of strike activity during the 17 years covered.

STATISTICAL DATA

LEGISLATIVE STATUS: NO BARGAINING LEGISLATION.

1958-74: 42 STRIKES; 52,233 WORKERS INVOLVED; 182,863 MAN-DAYS LOST.

AVERAGE: 2.47 STRIKES/YR.
3,072.53 WORKERS/YR.
10,756.65 MAN-DAYS/YR.

LOUISIANA

There is no bargaining legislation in Louisiana. An Attorney General's opinion holds that bargaining is permissable, apparently at the discretion of the governmental unit.

As of 1974, 33 of Louisiana's 835 government units, 4%, were engaged in bargaining. The data reveals that Louisiana has enjoyed a low level of strike activity.

STATISTICAL DATA

LEGISLATIVE STATUS: NO BARGAINING LEGISLATION.

1958-74: 20 STRIKES; 6,897 WORKERS INVOLVED; 33,145 MAN-DAYS LOST.

AVERAGE: 1.29 STRIKES/YR.
405.71 WORKERS/YR.
1,949.71 MAN-DAYS/YR.

MAINE

Two statutes mandate collective bargaining for all public employees in Maine. State employees were covered in 1974, while all other public employees bargain by virtue of a 1969 statute.

As of 1974, 149 of Maine's 715 government units, 20.8%, were bargaining. Maine has not suffered many public sector strikes, but a slight increase in strike activity after the 1969 legislation is discernable.

STATISTICAL DATA

STATE EMPLOYEES

LEGISLATIVE STATUS: 1974 LEGISLATION COVERS STATE EMPLOYEES.

1958-73: 2 STRIKES; 301 WORKERS INVOLVED; 301 MAN-DAYS LOST.

AVERAGE: .13 STRIKES/YR.
18.81 WORKERS/YR.
18.81 MAN-DAYS/YR.

ALL OTHER PUBLIC EMPLOYEES

LEGISLATIVE STATUS: 1969 LEGISLATION COVERS REMAINING EMPLOYEES.

1958-68: 0 STRIKES; 0 WORKERS INVOLVED; 0 MAN-DAYS LOST.

1970-74: 2 STRIKES; 129 WORKERS INVOLVED; 529 MAN-DAYS LOST.

AVERAGE: .40 STRIKES/YR.
25.80 WORKERS/YR.
105.80 MAN-DAYS/YR

MARYLAND

The single piece of bargaining legislation in Maryland applies to school employees and was enacted in 1969. However, some counties and municipalities have enacted their own bargaining ordinances.

As of 1974, 32 of 404 government units, 7.9%, were bargaining with their employees. The data shows a distinct increase in strike activity following the enactment of bargaining legislation for school employees.

STATISTICAL DATA

EDUCATION

LEGISLATIVE STATUS: 1969 LEGISLATION COVERS SCHOOL EMPLOYEES.

1958-68: 3 STRIKES; 5,220 WORKERS INVOLVED; 21,449 MAN-DAYS LOST.

AVERAGE: .27 STRIKES/YR.
474.55 WORKERS/YR.
1,949.91 MAN-DAYS/YR.

1970-74: 5 STRIKES; 8,927 WORKERS INVOLVED; 145,476 MAN-DAYS LOST.

AVERAGE: 1.00 STRIKES/YR.
1,785.40 WORKERS/YR.
29,095.20 MAN-DAYS/YR.

ALL OTHER PUBLIC EMPLOYEES

LEGISLATIVE STATUS: NO BARGAINING LEGISLATION.

1958-74: 20 STRIKES; 7,597 WORKERS INVOLVED; 64,368 MAN-DAYS LOST.

AVERAGE: 1.18 STRIKES/YR.
446.88 WORKERS/YR.
3,786.35 MAN-DAYS/YR.

MASSACHUSETTS

Massachusetts enacted legislation in 1965 extending bargaining to all public employees. This legislation has served as a stimulus to bargain. In 1974, 332 of 683 government units, 48.6% were engaged in bargaining.

The data clearly shows a marked increase in strike activity following the enactment of bargaining legislation.

STATISTICAL DATA

LEGISLATIVE STATUS: 1965 LEGISLATION COVERS ALL PUBLIC EMPLOYEES.

1958-64: 4 STRIKES; 10,455 WORKERS INVOLVED; 11,087 MAN-DAYS LOST.

AVERAGE: .57 STRIKES/YR.
1,493.57 WORKERS/YR.
1,583,86 MAN-DAYS/YR.

1966-74: 47 STRIKES; 16,073 WORKERS INVOLVED; 55,756 MAN-DAYS LOST.

AVERAGE: 5.22 STRIKES/YR.
1,785.89 WORKERS/YR.
6,195.11 MAN-DAYS/YR.

MICHIGAN

Michigan enacted legislation in 1965 extending collective bargaining to all public workers with the exception of state employees covered by civil service.

As of 1974, 804 of Michigan's 2,650 government units, 30.3%, were engaged in bargaining. The statistics show that Michigan is one of the most startling examples of drastically increased strike activity following the enactment of bargaining legislation.

STATISTICAL DATA

STATE EMPLOYEES

LEGISLATIVE STATUS: NO BARGAINING LEGISLATION FOR STATE EMPLOYEES COVERED BY CIVIL SERVICE.

1958-74: 3 STRIKES; 716 WORKERS INVOLVED; 3,628 MAN-DAYS LOST.

AVERAGE: .18 STRIKES/YR.
42.12 WORKERS/YR.
213.41 MAN-DAYS/YR.

ALL OTHER PUBLIC EMPLOYEES

LEGISLATIVE STATUS: 1965 LEGISLATION COVERS REMAINING EMPLOYEES.

1958-64: 1 STRIKE; 34 WORKERS INVOLVED; 238 MAN-DAYS LOST.

AVERAGE: .14 STRIKES/YR.
4.86 WORKERS/YR.
34.00 MAN-DAYS/YR.

1966-74: 410 STRIKES; 161,002 WORKERS INVOLVED; 1,586,487 MAN-DAYS LOST.

AVERAGE: 45.56 STRIKES/YR.
17,889.11 WORKERS/YR.
176,276.33 MAN-DAYS/YR.

MINNESOTA

A single piece of legislation, enacted in 1971, mandates collective bargaining for Minnesota's public employees. Strikes, although generally prohibited, are permitted in cases where the employer refuses to comply with an arbitration award or refuses a request for binding arbitration.

As of 1974, 589 of 3,396 government units, 17.3%, were bargaining with their employees. The data shows an increase in strike activity following legislation, although the strikes appear to be of smaller size and shorter duration.

STATISTICAL DATA

LEGISLATIVE STATUS: 1971 LEGISLATION COVERS ALL PUBLIC EMPLOYEES.

1958-70: 5 STRIKES; 2,412 WORKERS INVOLVED; 29,041 MAN-DAYS LOST.

AVERAGE: .38 STRIKES/YR.
185.54 WORKERS/YR.
2,233.92 MAN-DAYS/YR.

1972-74: 4 STRIKES; 242 WORKERS INVOLVED; 1,376 MAN-DAYS LOST.

AVERAGE: 1.33 STRIKES/YR.
80.67 WORKERS/YR.
458.67 MAN-DAYS/YR.

MISSISSIPPI

Mississippi has no bargaining legislation or formalized public sector labor relations policy.

As a reflection of this, bargaining occurs to a very limited degree. In 1974, 29 of 797 government units, 3.6%, had established bargaining relationships with their employees. The data reveals a very low level of strike activity in Mississippi.

STATISTICAL DATA

LEGISLATIVE STATUS: NO BARGAINING LEGISLATION.

1958-74: 6 STRIKES; 332 WORKERS INVOLVED; 1,670 MAN-DAYS LOST.

AVERAGE: .35 STRIKES/YR.
19.53 WORKERS/YR.
98.24 MAN-DAYS/YR.

MISSOURI

While teachers and police have no bargaining legislation, a 1967 statute established a "meet and confer" policy for remaining state and local government employees, including firefighters. A 1968 Attorney General's opinion states that teachers have the right to present proposals but does not mandate a bargaining relationship.

As of 1974, 211 of Missouri's 2,808 government units, 7.5%, were bargaining with their employees. The data shows a definite increase in strike activity by employees covered by legislation.

STATISTICAL DATA

EDUCATION AND LAW ENFORCEMENT

LEGISLATIVE STATUS: NO BARGAINING LEGISLATION.

1958-74: 25 STRIKES; 22,646 WORKERS INVOLVED; 218,017 MAN-DAYS LOST.

AVERAGE: 1.47 STRIKES/YR.
1,332.12 WORKERS/YR.
12,824.53 MAN-DAYS/YR.

ALL OTHER PUBLIC EMPLOYEES

LEGISLATIVE STATUS: 1967 LEGISLATION COVERS ALL REMAINING EMPLOYEES

1958-66: 18 STRIKES; 3,589 WORKERS INVOLVED; 10,832 MAN-DAYS LOST

AVERAGE: 2.00 STRIKES/YR.
398.78 WORKERS/YR.
1,203.56 MAN-DAYS/YR.

1968-74: 31 STRIKES; 9,567 WORKERS INVOLVED; 64,126 MAN-DAYS LOST.

AVERAGE: 4.43 STRIKES/YR.
1,366.71 WORKERS/YR.
9,160.86 MAN-DAYS/YR.

MONTANA

Three pieces of legislation extend bargaining rights to all of Montana's public employees. Initial legislation was in 1969 and applied to publicly employed nurses. That was followed in 1971 by legislation covering teachers. 1973 legislation brought bargaining to the state's remaining public employees.

Montana is one of the seven states permitting strikes. The 1969 legislation permitted the strike for nurses. The teacher bargaining statute denies them the strike weapon. The remaining public employees are covered by a court decision that recognizes the right to strike.

As of 1974, 153 of 993 government units, 15.4%, were bargaining with employee groups. The data shows an increase in strike activity following enactment of each of the three pieces of legislation. Only a single year's data was available to judge the effect of the most recent legislation. However, that year showed one strike compared to six for the previous 15 years. Further data will indicate if this trend holds.

STATISTICAL DATA

NURSES

LEGISLATIVE STATUS: 1969 LEGISLATION COVERS NURSES.

1958-68: 0 STRIKES; 0 WORKERS INVOLVED; 0 MAN-DAYS LOST.

1970-74: 3 STRIKES; 1,470 WORKERS INVOLVED; 4,105 MAN-DAYS LOST.

AVERAGE: .60 STRIKES/YR.
294.00 WORKERS/YR.
821.00 MAN-DAYS/YR.

EDUCATION

LEGISLATIVE STATUS: 1971 LEGISLATION COVERS TEACHERS.

1958-70: 2 STRIKES; 1,055 WORKERS INVOLVED; 1,505 MAN-DAYS LOST.

AVERAGE: .15 STRIKES/YR.
81.15 WORKERS/YR.
115.77 MAN-DAYS/YR.

1972-74: 2 STRIKES; 215 WORKERS INVOLVED; 1,649 MAN-DAYS LOST.

AVERAGE: .67 STRIKES/YR.
71.67 WORKERS/YR.
549.67 MAN-DAYS/YR.

ALL OTHER PUBLIC EMPLOYEES

LEGISLATIVE STATUS: 1973 LEGISLATION COVERS REMAINING EMPLOYEES.

1958-72: 6 STRIKES; 653 WORKERS INVOLVED; 6,531 MAN-DAYS LOST.

AVERAGE: .40 STRIKES/YR.

43.53 WORKERS/YR.

435.40 MAN-DAYS/YR.

1974: 1 STRIKES; 307 WORKERS INVOLVED; 307 MAN-DAYS LOST.

AVERAGE: 1.00 STRIKES/YR.

307.00 WORKERS/YR.

307.00 MAN-DAYS/YR.

NEBRASKA

Nebraska enacted weak bargaining legislation for teachers in 1967. School board approval is required to establish a "meet and confer" relationship. 1969 legislation covers all remaining public employees and mandates collective bargaining.

Nebraska has a limited amount of bargaining and minimal strike activity. As of 1974, 233 of 3,562 government units, 6.5%, were bargaining. The lone strike occurred following passage of the 1969 legislation.

STATISTICAL DATA

EDUCATION

LEGISLATIVE STATUS: 1967 LEGISLATION COVERS TEACHERS.

1958-66: 0 STRIKES; 0 WORKERS INVOLVED; 0 MAN-DAYS LOST.

1968-74: 0 STRIKES; 0 WORKERS INVOLVED; 0 MAN-DAYS LOST.

ALL OTHER PUBLIC EMPLOYEES

LEGISLATIVE STATUS: 1969 LEGISLATION COVERS REMAINING EMPLOYEES.

1958-68: 0 STRIKES; 0 WORKERS INVOLVED; 0 MAN-DAYS LOST.

1970-74: 1 STRIKE; 33 WORKERS INVOLVED; 33 MAN-DAYS LOST.

AVERAGE: .20 STRIKES/YR.
6.60 WORKERS/YR.
6.60 MAN-DAYS/YR.

NEVADA

The single piece of legislation in Nevada mandates collective bargaining for all public employees except those employed by the State of Nevada.

As of 1974, 27 of Nevada's 185 government units, 14.6%, were bargaining. Nevada has had minimal strike activity. The lone strike occurred following passage of the bargaining legislation.

STATISTICAL DATA

STATE EMPLOYEES

LEGISLATIVE STATUS: NO BARGAINING LEGISLATION.

1958-74: 0 STRIKES; 0 WORKERS INVOLVED; 0 MAN-DAYS LOST.

ALL OTHER PUBLIC EMPLOYEES

LEGISLATIVE STATUS: 1969 LEGISLATION COVERS REMAINING EMPLOYEES.

1958-68: 0 STRIKES; 0 WORKERS INVOLVED; 0 MAN-DAYS LOST.

1970-74: 1 STRIKE; 170 WORKERS INVOLVED; 510 MAN-DAYS LOST.

AVERAGE: .20 STRIKES/YR.
34.00 WORKERS/YR.
102.00 MAN-DAYS/YR.

NEW HAMPSHIRE

New Hampshire enacted legislation in 1969 mandating collective bargaining for state employees. 1970 legislation authorized bargaining for all local government employees with the exception of police, but apparently at the discretion of the local government. Police were covered by 1972 legislation mandating collective bargaining. These laws were revised by 1975 legislation mandating collective bargaining for all public employees.

As of 1974, 58 of 500 government units, 11.6%, were bargaining. New Hampshire has experienced light strike activity, but there was an increase following the 1970 legislation.

STATISTICAL DATA

STATE EMPLOYEES

LEGISLATIVE STATUS: 1969 LEGISLATION COVERS STATE EMPLOYEES.

1958-68: 0 STRIKES; 0 WORKERS INVOLVED; 0 MAN-DAYS LOST.

1970-74: 0 STRIKES; 0 WORKERS INVOLVED; 0 MAN-DAYS LOST.

POLICE

LEGISLATIVE STATUS: 1972 LEGISLATION COVERS POLICE.

1958-71: 0 STRIKES; 0 WORKERS INVOLVED; 0 MAN-DAYS LOST.

1973-74: 0 STRIKES; 0 WORKERS INVOLVED; 0 MAN-DAYS LOST.

ALL OTHER PUBLIC EMPLOYEES

LEGISLATIVE STATUS: 1970 LEGISLATION COVERS ALL REMAINING EMPLOYEES.

1958-69: 9 STRIKES; 1,745 WORKERS INVOLVED; 4,197 MAN-DAYS LOST.

AVERAGE: .75 STRIKES/YR.

145.42 WORKERS/YR.

349.75 MAN-DAYS/YR.

1971-74: 7 STRIKES; 672 WORKERS INVOLVED; 11,613 MAN-DAYS LOST.

AVERAGE: 1.74 STRIKES/YR.

168.00 WORKERS/YR.

2,903.25 MAN-DAYS/YR.

NEW JERSEY

Legislation enacted in 1968 mandated collective bargaining for all public employees in New Jersey.

As of 1974, 664 of New Jersey's 1,457 government units, 45.6%, were engaging in collective bargaining. The data reveals a marked increase in strike activity following legislation.

STATISTICAL DATA

LEGISLATIVE STATUS: 1968 LEGISLATION COVERS ALL PUBLIC EMPLOYEES.

1958-67: 31 STRIKES; 8,461 WORKERS INVOLVED; 23,503 MAN-DAYS LOST.

AVERAGE: 3.10 STRIKES/YR.
846.10 WORKERS/YR.
2,350.30 MAN-DAYS/YR.

1969-74: 112 STRIKES; 40,521 WORKERS INVOLVED; 378,275 MAN-DAYS LOST.

AVERAGE: 18.67 STRIKES/YR.
6,753.50 WORKERS/YR.
63,045.83 MAN-DAYS/YR.

NEW MEXICO

New Mexico has no bargaining legislation. State Personnel Board regulations, affecting state employees, permit bargaining at the option of the employer. Case law and Attorney General's opinions covering local government employees permit bargaining to the extent that there is no preemption of civil service laws.

In 1974, 47 of 310 government units, 15.2%, were bargaining. In the absence of enabling legislation, New Mexico has had minimal strike activity.

STATISTICAL DATA

LEGISLATIVE STATUS: NO BARGAINING LEGISLATION.

1958-74: 10 STRIKES; 5,667 WORKERS INVOLVED; 27,598 MAN-DAYS LOST.

AVERAGE: .59 STRIKES/YR.
333.35 WORKERS/YR.
1,623.41 MAN-DAYS/YR.

NEW YORK

New York's Taylor Law, enacted in 1967, mandated collective bargaining for all public employees in the state.

As of 1974, 1,011 of the state's 3,307 government units, 30.6%,were bargaining with employee groups. The data shows a marked increase in strike activity following passage of bargaining legislation.

STATISTICAL DATA

LEGISLATIVE STATUS: 1967 LEGISLATION COVERS ALL PUBLIC EMPLOYEES.

1958-66: 38 STRIKES; 86,028 WORKERS INVOLVED; 475,020 MAN-DAYS LOST.

AVERAGE: 4.22 STRIKES/YR.
9,558.67 WORKERS/YR.
52,780.00 MAN-DAYS/YR.

1968-74: 150 STRIKES; 145,222 WORKERS INVOLVED; 2,192,858 MAN-DAYS LOST.

AVERAGE: 21.43 STRIKES/YR.
20,746.00 WORKERS/YR.
313,265.42 MAN-DAYS/YR.

NORTH CAROLINA

North Carolina has no bargaining legislation and is the only state to have a specific legislated prohibition to public sector bargaining.

As of 1974, 10 of 803 government units, 1.2%, were bargaining with their employees.

STATISTICAL DATA

LEGISLATIVE STATUS: NO BARGAINING LEGISLATION.

1958-74: 43 STRIKES; 5,494 WORKERS INVOLVED; 33,919 MAN-DAYS LOST.

AVERAGE: 2.53 STRIKES/YR.
323.18 WORKERS/YR.
1,995.24 MAN-DAYS/YR.

NORTH DAKOTA

The only bargaining legislation in effect in North Dakota is a 1969 statute covering teachers.

As of 1974, 113 of the state's 2,727 government units, 4.1%, were engaged in bargaining. North Dakota has a history of minimum strike activity, and the single piece of legislation has not impacted on this to date.

STATISTICAL DATA

EDUCATION

LEGISLATIVE STATUS: 1969 LEGISLATION COVERS TEACHERS.

1958-68: 0 STRIKES; 0 WORKERS INVOLVED; 0 MAN-DAYS LOST.

1970-74: 0 STRIKES; 0 WORKERS INVOLVED; 0 MAN-DAYS LOST.

ALL OTHER PUBLIC EMPLOYEES

LEGISLATIVE STATUS: NO BARGAINING LEGISLATION.

1958-74: 2 STRIKES; 125 WORKERS INVOLVED; 456 MAN-DAYS LOST.

AVERAGE: .12 STRIKES/YR.

7.35 WORKERS/YR.

26.82 MAN-DAYS/YR.

OHIO

Ohio has no bargaining legislation. There are a mix of mildly conflicting court opinions. They have ranged from stating public employees have the "right" to bargain collectively, to a limited approach granting employees the right to present proposals but denying the right to enter into binding contracts.

Regardless, a great deal of bargaining takes place in Ohio. As of 1974, 656 of 3,260 government units, 20.1%, were negotiating with employees. This, coupled with the tradition of private sector unionism in this highly industrialized state, may account for the high level of strike activity.

STATISTICAL DATA

LEGISLATIVE STATUS: NO BARGAINING LEGISLATION.

1958-74: 353 STRIKES; 100,870 WORKERS INVOLVED; 446,843 MAN-DAYS LOST.

AVERAGE: 20.76 STRIKES/YR.
5,933.53 WORKERS/YR.
26,284.88 MAN-DAYS/YR.

OKLAHOMA

Two pieces of legislation, both enacted in 1971, mandate bargaining for all public workers except those employed by the state.

As of 1974, 157 of 1,684 government units 9.3%, were bargaining. The statistics show an increase in strike activity following legislation.

STATISTICAL DATA

STATE EMPLOYEES

LEGISLATIVE STATUS: NO BARGAINING LEGISLATION.

1958-74: 0 STRIKES; 0 WORKERS INVOLVED; 0 MAN-DAYS LOST.

ALL OTHER PUBLIC EMPLOYEES

LEGISLATIVE STATUS: 1971 LEGISLATION COVERS ALL REMAINING EMPLOYEES.

1958-70: 6 STRIKES; 17,967 WORKERS INVOLVED; 31,788 MAN-DAYS LOST.

AVERAGE: .46 STRIKES/YR.
1,382.08 WORKERS/YR.
2,445.23 MAN-DAYS/YR.

1972-74: 4 STRIKES; 283 WORKERS INVOLVED; 833 MAN-DAYS LOST.

AVERAGE: 1.33 STRIKES/YR.
94.33 WORKERS/YR.
277.67 MAN-DAYS/YR.

OREGON

Initial bargaining legislation in Oregon was a 1965 statute covering teachers. In 1973, legislation was enacted extending bargaining to all other public employees in the state.

As of 1974, 291 of 1,447 government units, 20.1%, were bargaining. The data shows an increase in strike activity following passage of both pieces of legislation, although only one year of data is available for the latter statute. Further statistics will show if the trend holds.

STATISTICAL DATA

EDUCATION

LEGISLATIVE STATUS: 1965 LEGISLATION COVERS TEACHERS.

1958-64: 0 STRIKES; 0 WORKERS INVOLVED; 0 MAN-DAYS LOST.

1966-74: 2 STRIKES; 446 WORKERS INVOLVED; 2.992 MAN-DAYS LOST.

AVERAGE: .22 STRIKES/YR.
49.56 WORKERS/YR.
332.44 MAN-DAYS/YR.

ALL OTHER PUBLIC EMPLOYEES

LEGISLATIVE STATUS: 1973 LEGISLATION COVERS ALL OTHER EMPLOYEES.

1958-72: 3 STRIKES; 103 WORKERS INVOLVED; 201 MAN-DAYS LOST.

AVERAGE: .20 STRIKES/YR.
6.87 WORKERS/YR.
13.40 MAN-DAYS/YR.

1974: 1 STRIKE; 17 WORKERS INVOLVED; 51 MAN-DAYS LOST.

AVERAGE: 1.00 STRIKES/YR.
17.00 WORKERS/YR.
51.00 MAN-DAYS/YR.

PENNSYLVANIA

There are two bargaining statutes in Pennsylvania. 1968 legislation mandates collective bargaining for police and fire-fighters. 1970 legislation mandates collective bargaining for all other state and local government employees. The 1970 law also grants a limited right to strike to non-essential employees.

As of 1974, 896 of the state's 4,936 government units, 18.2%, were engaged in bargaining. The statistics show a dramatic increase in strike activity following enactment of both pieces of legislation.

STATISTICAL DATA

PROTECTIVE SERVICES

LEGISLATIVE STATUS: 1968 LEGISLATION COVERS POLICE AND FIRE-FIGHTERS.

1958-67: 1 STRIKE; 21 WORKERS INVOLVED; 21 MAN-DAYS LOST.

AVERAGE: .10 STRIKES/YR.
2.10 WORKERS/YR.
2.10 MAN-DAYS/YR.

1969-74: 14 STRIKES; 656 WORKERS INVOLVED; 4,711 MAN-DAYS LOST.

AVERAGE: 2.33 STRIKES/YR.
109.33 WORKERS/YR.
785.17 MAN-DAYS/YR.

ALL OTHER PUBLIC EMPLOYEES

LEGISLATIVE STATUS: 1970 LEGISLATION COVERS ALL REMAINING EMPLOYEES.

1958-69: 72 STRIKES; 43,086 WORKERS INVOLVED; 97,017 MAN-DAYS LOST.

AVERAGE: 6.00 STRIKES/YR.
3,590.50 WORKERS/YR.
8,084.75 MAN-DAYS/YR.

1971-74: 292 STRIKES; 117,718 WORKERS INVOLVED; 1,517,178 MAN-DAYS LOST.

AVERAGE: 73.00 STRIKES/YR.
29,429.50 WORKERS/YR.
379,294.50 MAN-DAYS/YR.

RHODE ISLAND

There are four bargaining statutes in Rhode Island. The first, enacted in 1966, covers teachers. The second, enacted in 1967, covers all local government employees except police and firefighters. The third and fourth, both enacted in 1970, cover state employees, police and firefighters.

As of 1974, 39 of 116 government units, 33.6%, were engaging in bargaining. The data shows an increase in strike activity following enactment of all legislation.

STATISTICAL DATA

EDUCATION

LEGISLATIVE STATUS: 1966 LEGISLATION COVERS TEACHERS.

1958-65: 2 STRIKES; 730 WORKERS INVOLVED; 5,860 MAN-DAYS LOST.

AVERAGE: .25 STRIKES/YR.
91.25 WORKERS/YR.
732.50 MAN-DAYS/YR.

1967-74: 21 STRIKES; 12,579 WORKERS INVOLVED; 86,171 MAN-DAYS LOST.

AVERAGE: 2.63 STRIKES/YR.
1,572.38 WORKERS/YR.
10,771.38 MAN-DAYS/YR.

LOCAL GOVERNMENT

LEGISLATIVE STATUS: 1967 LEGISLATION COVERS ALL LOCAL GOVERNMENT EMPLOYEES EXCEPT POLICE AND FIREFIGHTERS.

1958-66; 1 STRIKE; 9 WORKERS INVOLVED; 567 MAN-DAYS LOST.

AVERAGE: .11 STRIKES/YR.
1.00 WORKER/YR.
63.00 MAN-DAYS/YR.

1968-74: 3 STRIKES; 214 WORKERS INVOLVED; 1,204 MAN-DAYS LOST.

AVERAGE: .43 STRIKES/YR.
30.57 WORKERS/YR.
172.00 MAN-DAYS/YR.

ALL OTHER PUBLIC EMPLOYEES

LEGISLATIVE STATUS: 1970 LEGISLATION COVERS STATE EMPLOYEES, POLICE AND FIREFIGHTERS.

1958-69:	3 STRIKES;	881 WORKERS INVOLVED; 2,681 MAN-DAYS LOST.
AVERAGE:	.25	STRIKES/YR.
	73.42	WORKERS/YR.
	223.42	MAN-DAYS/YR.
1971-74:	5 STRIKES;	3,554 WORKERS INVOLVED; 13,035 MAN-DAYS LOST.
AVERAGE:	1.25	STRIKES/YR.
	888.50	WORKERS/YR.
	3,258.75	MAN-DAYS/YR.

SOUTH CAROLINA

South Carolina has no bargaining legislation. Written agreements or contracts are prohibited as a matter of state policy. South Carolina has passed legislation requiring all levels of government to establish grievance procedures.

As of 1974, 6 of South Carolina's 584 government units, 1%, were engaging in bargaining. The data shows that a very low level of strike activity accompanies the low level of bargaining.

STATISTICAL DATA

LEGISLATIVE STATUS: NO BARGAINING LEGISLATION.

1958-74: 6 STRIKES; 1,629 WORKERS INVOLVED; 37,501 MAN-DAYS LOST.

AVERAGE: .35 STRIKES/YR.
95.82 WORKERS/YR.
2,205.94 MAN-DAYS/YR.

SOUTH DAKOTA

A single piece of legislation, enacted in 1969, mandates bargaining for all South Dakota public employees.

In spite of enabling legislation, relatively few governments presently engage in bargaining. As of 1974, 146 of 1,771 governments, 8.2%, were negotiating with employee groups.

South Dakota has a history of light strike activity, and the years following legislation have shown only a slight increase in frequency.

STATISTICAL DATA

LEGISLATIVE STATUS: 1969 LEGISLATION COVERS ALL PUBLIC EMPLOYEES.

1958-68: 1 STRIKE; 441 WORKERS INVOLVED; 3.969 MAN-DAYS LOST.

AVERAGE: .09 STRIKES/YR.
40.09 WORKERS/YR.
360.82 MAN-DAYS/YR.

1970-74: 1 STRIKE; 59 WORKERS INVOLVED; 177 MAN-DAYS LOST.

AVERAGE: .20 STRIKES/YR.
11.80 WORKERS/YR.
35.40 MAN-DAYS/YR.

TENNESSEE

Tennessee has no bargaining legislation, and case law holds that local governments do not have the authority to enter into collective bargaining agreements.

As of 1974, 27 of 882 government units, 3.1%, were engaged in bargaining. In the absence of legislation, Tennessee has enjoyed a relatively light level of strike activity.

STATISTICAL DATA

LEGISLATIVE STATUS: NO BARGAINING LEGISLATION.

1958-74: 32 STRIKES; 5,550 WORKERS INVOLVED; 118,546 MAN-DAYS LOST.

AVERAGE: 1.88 STRIKES/YR.
326.47 WORKERS/YR.
6,973.29 MAN-DAYS/YR.

TEXAS

The only bargaining legislation in Texas pertains to police and firefighters. This statute permits bargaining in municipalities that opt, through a referendum, to do so. The law also permits a revocation of bargaining, also by referendum. The limited scope of this legislation coupled with the nature of the available data made it impossible to select out those strikes in areas covered. Therefore, all Texas strikes were treated as having taken place in the absence of legislation.

As of 1974, 135 of 3,625 government units, 3.7%, were engaged in bargaining. Texas also shows a relatively low level of strike activity.

STATISTICAL DATA

LEGISLATIVE STATUS: NO BARGAINING LEGISLATION (SEE ABOVE).

1958-74: 36 STRIKES; 8,188 WORKERS INVOLVED; 34,801 MAN-DAYS LOST.

AVERAGE: 2.12 STRIKES/YR.
481.65 WORKERS/YR.
2,047.12 MAN-DAYS/YR.

UTAH

Utah had no bargaining legislation through 1974. 1975 legislation extends bargaining to firefighters. Earlier Attorney Generals' opinions prohibited bargaining for state employees and permitted it for local government employees, apparently at the discretion of the local government unit.

As of 1974, 45 of 460 government units 9.8%, were engaged in bargaining. In the absence of legislation, Utah has had a very low level of strike activity.

STATISTICAL DATA

LEGISLATIVE STATUS: NO BARGAINING LEGISLATION.

1958-74: 8 STRIKES; 12,444 WORKERS INVOLVED; 32,253 MAN-DAYS LOST.

AVERAGE: .47 STRIKES/YR.

732.00 WORKERS/YR.

1,897.24 MAN-DAYS/YR.

VERMONT

Three pieces of legislation extend collective bargaining to all public employees in Vermont. Two laws, both enacted in 1969, cover state employees and teachers. The final statute, enacted in 1973, covers all remaining public employees. Vermont laws grant a limited right to strike to all public workers with the exception of those employed by the state government.

As of 1974, 100 of 659 government units, 15.2%, were engaging in bargaining. Vermont is unique among the 50 states in that there has never been a public sector strike within her boundaries.

STATISTICAL DATA

STATE EMPLOYEES

LEGISLATIVE STATUS: 1969 LEGISLATION COVERS STATE EMPLOYEES.

1958-68: 0 STRIKES; 0 WORKERS INVOLVED; 0 MAN-DAYS LOST.

1970-74: 0 STRIKES; 0 WORKERS INVOLVED; 0 MAN-DAYS LOST.

EDUCATION

LEGISLATIVE STATUS: 1969 LEGISLATION COVERS TEACHERS.

1958-68: 0 STRIKES; 0 WORKERS INVOLVED; 0 MAN-DAYS LOST.

1970-74: 0 STRIKES; 0 WORKERS INVOLVED; 0 MAN-DAYS LOST.

ALL OTHER PUBLIC EMPLOYEES

LEGISLATIVE STATUS: 1973 LEGISLATION COVERS ALL OTHER EMPLOYEES.

1958-72: 0 STRIKES; 0 WORKERS INVOLVED; 0 MAN-DAYS LOST.

1974: 0 STRIKES; 0 WORKERS INVOLVED; 0 MAN-DAYS LOST.

VIRGINIA

Virginia has no bargaining legislation. There are conflicting Attorney Generals' opinions and legislative resolutions that cloud the legal status of bargaining in Virginia.

As of 1974, 38 of 386 government units, 9.8%, were engaging in bargaining. In the absence of legislation, Virginia has enjoyed a low level of strike activity.

STATISTICAL DATA

LEGISLATIVE STATUS: NO BARGAINING LEGISLATION.

1958-74: 14 STRIKES; 1,730 WORKERS INVOLVED; 6,751 MAN-DAYS LOST

AVERAGE: .82 STRIKES/YR.

101.76 WORKERS/YR.

397.12 MAN-DAYS/YR.

WASHINGTON

Teachers were covered by a 1965 statute. State and community college employees were covered by 1971 legislation. A 1967 law mandated bargaining for all other public employees.

As of 1974, 411 of 1,683 government units, 24.4%, were bargaining with employee groups. The data shows an increase in strike activity following enactment of all legislation.

STATISTICAL DATA

EDUCATION

LEGISLATIVE STATUS: 1965 LEGISLATION COVERS TEACHERS.

1958-64: 0 STRIKES; 0 WORKERS INVOLVED; 0 MAN-DAYS LOST

1966-74: 14 STRIKES; 7,247 WORKERS INVOLVED; 42,673 MAN-DAYS LOST

AVERAGE: 1.56 STRIKES/YR.
805.22 WORKERS/YR.
4,741.44 MAN-DAYS/YR.

STATE & COMMUNITY COLLEGE EMPLOYEES

LEGISLATIVE STATUS: 1971 LEGISLATION COVERS STATE & COMMUNITY COLLEGE EMPLOYEES.

1958-70: 2 STRIKES; 38 WORKERS INVOLVED; 182 MAN-DAYS LOST

AVERAGE: 15 STRIKES/YR.
2.92 WORKERS/YR.
14.00 MAN-DAYS/YR.

1972-74: 5 STRIKES; 1,468 WORKERS INVOLVED; 9,534 MAN-DAYS LOST

AVERAGE: 1.67 STRIKES/YR.
489.33 WORKERS/YR.
3,178.00 MAN-DAYS/YR.

ALL OTHER PUBLIC EMPLOYEES

LEGISLATIVE STATUS: 1967 LEGISLATION COVERS ALL REMAINING EMPLOYEES.

1958-66: 2 STRIKES; 53 WORKERS INVOLVED; 245 MAN-DAYS LOST

AVERAGE: .22 STRIKES/YR.
5.89 WORKERS/YR.
27.22 MAN-DAYS/YR.

1968-74: 10 STRIKES; 3,841 WORKERS INVOLVED; 28,300 MAN-DAYS LOST

AVERAGE: 1.43 STRIKES/YR.
548.71 WORKERS/YR.
4,042.86 MAN-DAYS/YR.

WEST VIRGINIA

West Virginia has no bargaining legislation. Attorney Generals' opinions have held bargaining to be permissible, but at the discretion of the employer.

As of 1974, 26 of 509 government units, 5.1%, were engaging in bargaining. West Virginia has a relatively low level of strike activity in the absence of legislation.

STATISTICAL DATA

LEGISLATIVE STATUS: NO BARGAINING LEGISLATION.

1958-74: 48 STRIKES; 7,039 WORKERS INVOLVED; 82,288 MAN-DAYS LOST

AVERAGE: 2.82 STRIKES/YR.
414.06 WORKERS/YR.
4,840.47 MAN-DAYS/YR.

WISCONSIN

Wisconsin is generally credited with being the first state to enact bargaining legislation. This was a 1959 statute covering all but state employees. Coverage was extended to state employees in 1966.

As of 1974, 542 of 2,449 government units, 22.1%, were engaging in bargaining. Although only one year of data is available for the period preceding the initial legislation, the level of strike activity is higher than that generally found in non-bargaining states. State employees show an increase in strike activity following legislation.

STATISTICAL DATA

STATE EMPLOYEES

LEGISLATIVE STATUS: 1966 LEGISLATION COVERS STATE EMPLOYEES.

1958-65: 0 STRIKES; 0 WORKERS INVOLVED; 0 MAN-DAYS LOST

1967-74: 7 STRIKES; 3,208 WORKERS INVOLVED; 35,159 MAN-DAYS LOST

AVERAGE: .88 STRIKES/YR.

401.00 WORKERS/YR.

4,394.88 MAN-DAYS/YR.

ALL OTHER PUBLIC EMPLOYEES

LEGISLATIVE STATUS: 1959 LEGISLATION COVERS ALL REMAINING EMPLOYEES.

1958: 0 STRIKES; 0 WORKERS INVOLVED; 0 MAN-DAYS LOST

1960-74: 99 STRIKES; 35,672 WORKERS INVOLVED; 246,846 MAN-DAYS LOST

AVERAGE: 6.60 STRIKES/YR.

2,378.13 WORKERS/YR.

16,456.40 MAN-DAYS/YR.

WYOMING

The only bargaining legislation in Wyoming applies to firefighters.

As of 1974, 38 of 384 government units, 9.9%, were engaging in bargaining. Statistics reveal a very low level of strike activity in Wyoming, and no firefighter strikes before or after legislation.

STATISTICAL DATA

FIREFIGHTERS

LEGISLATIVE STATUS: 1965 LEGISLATION COVERS FIREFIGHTERS.

1958-64: 0 STRIKES; 0 WORKERS INVOLVED; 0 MAN-DAYS LOST

1966-74: 0 STRIKES; 0 WORKERS INVOLVED; 0 MAN-DAYS LOST

ALL OTHER PUBLIC EMPLOYEES

LEGISLATIVE STATUS: NO BARGAINING LEGISLATION.

1958-74: 1 STRIKE; 37 WORKERS INVOLVED; 370 MAN-DAYS LOST

AVERAGE: .06 STRIKES/YR.

2.18 WORKERS/YR.

21.76 MAN-DAYS/YR.